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Jeffery M. Duncan
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#29
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J. M. Duncan

Our Case No.: 9793/105-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frederic Donie, et al.

Serial No.: 09/423,863

Filing Date: February 8, 2000

For: METHOD FOR DETECTING OF
HIV ANTIBODIES AND ANTIGENS
USED THEREIN

Examiner: Bao Q. Li

Group Art Unit No.: 1648

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

| FOREIGN PATENT DOCUMENTS | | | | | |
|---|------------|---------|--------------------|-----------------------|--|
| DOCUMENT NUMBER | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES NO | |
| 0 468 441 A1 | 01-29-1992 | EPO | | | |
| WO 87/06005 | 10-08-1987 | WIPO | | | |
| WO 90/07119 | 06-28-1990 | WIPO | | | |
| FR 2 730 493-A1 | 02-09-1995 | France | | X | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | |
| John W. Gnann, Jr. , et al., <i>Synthetic Peptide Immunoassay Distinguishes HIV Type 1 and HIV Type 2 Infections</i> ," SCIENCE, Vol. 237, pp. 1346-1349. | | | | | |

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).


This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

This application is a continuation application of U.S. Serial No. 09/423,863, filed February 8, 2000, and is relied upon for an earlier filing dated under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) only copies of documents not previously cited and submitted to the Patent and Trademark Office in the prior application Serial No. 09/423,863 are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of the information disclosed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to filing of the present statement, as evidenced by the date of the enclosed search report.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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